

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN I. BALLESTEROS,
Plaintiff,
v.
GARZA,
Defendant.

No. 1:22-cv-00997-ADA-EPG (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION
(ECF Nos. 11, 13)

Plaintiff Benjamin Ballesteros (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 23, 2023, the assigned Magistrate Judge entered findings and recommendations, recommending that “[t]his action be dismissed, with prejudice, for failure to state a claim,” and that “[t]he Clerk of Court be directed to close this case.” (ECF No. 13 at 7.) Plaintiff did not file any objections, and the time to do so has passed.


In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge’s findings and recommendations are supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on March 23, 2023, (ECF No. 13), are adopted in full;
2. This action is dismissed, with prejudice, for failure to state a claim; and
3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: June 15, 2023


UNITED STATES DISTRICT JUDGE